

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

MELVIN TURNER,
Plaintiff

v.

UNITED STATES OF
AMERICA, ET AL.,
Defendants

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CIVIL ACTION NO. 3:13-CV-848

(JUDGE NEALON)
(MAGISTRATE JUDGE BLEWITT)

ORDER

NOW, THIS 31st DAY OF JULY, 2013, for the reasons set forth in the Memorandum
issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 9), is **ADOPTED**:
 - A. Defendant United States and the two unnamed inmates are **DISMISSED with prejudice**;
 - B. The Complaint, (Doc. 1), is **DISMISSED without prejudice** for failure to exhaust;
 - C. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 2), is **GRANTED** for the sole purpose of filing this action;
2. Plaintiff's motion to appoint counsel, (Doc. 15), is **DENIED**;
3. The Clerk of Court is directed to **CLOSE** this case; and
4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.



United States District Judge

**FILED
SCRANTON**

JUL 31 2013

PER



DEPUTY CLERK